United States Patent and Trademark Office
         - Sales Receipt -

03/02/2006 DWILLIA4 00000002 133402   10519356

01 FC:1202   550.00 DA

file only

IN THE UNITED STATES DESIGNATED/ELECTED OFFICE

In re Application of :

Bertram CEZANNE et al.

Examiner: Joseph R. Kosackl

Serial No.: 10/519,356

Group Art Unit: 1626

Filed: December 28, 2004

Title: 2-(PHENYL)-2H.PYRAZOLE-3-CARBOXYLIC ACID-N-4-(THIOXO-HETEROCYCLYL)-PHENYL-AMIDE DERIVATIVES AND CORRESPONDING IMINO-HETEROCYCLYL DERIVATIVES AND RELATES COMPOUNDS FOR USE AS INHIBITORS OF THE COAGULATION FACTORS XA AND/OR VIIA FOR TREATING THROMBOSES

ELECTION AND AMENDMENT

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir: In response to the Office Action of January 17, 2006, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 20 of this paper.

- 1 -

MERCK-2952

search would therefore comprise overlapping subject matter, and would not impose an undue search burden on the Examiner. Applicants thus also traverse the Restriction Requirement on the basis that the Examiner has not established that examining all of the claims in the application would constitute a serious burden.

As for Groups VII-IX, these Groups are directed to processes for making compounds of Formula I, including compounds of Groups I-VI, methods of using same, and means designed for use with said compounds. These constitute part of the same invention as Groups I-VI. See §(e) of Annex B.

In view of the above remarks, withdrawal of the restriction requirement is respectfully requested. The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

Brion P. Heaney, Reg. No. 32,542
Attorney for Applicants

MILLEN, WHITE, ZELANO & BRANIGAN, P.C.
Arlington Courthouse Plaza 1
2200 Clarendon Boulevard, Suite 1400
Arlington, VA 22201
Direct Dial: 703-812-5311
Facsimile: 703-243-6410
Attorney Docket No.:MERCK-2952

Date: February 17, 2006

PATENT APPLICATION FEE DETERMINATION RECORD Effective December 8, 2004	Application or Docket Number **10/519356**

CLAIMS AS FILED - PART I

	(Column 1)	(Column 2)
U.S. NATIONAL STAGE FEES		
BASIC FEE	SMALL ENT. = $150	LARGE ENT. = $300
EXAMINATION FEE	Satisfies PCT Article 33(1)-(4) = $50/$100	All other situations = $100/$200
SEARCH FEE	U.S. is ISA = $50/$100 ALL other countries = $200/$400	All other situations = $250/$500
FEE FOR EXTRA SPEC. PGS.	minus 100 =	/ 50 =
TOTAL CHARGEABLE CLAIMS	33 minus 20 =	13
INDEPENDENT CLAIMS	1 minus 3 =	
MULTIPLE DEPENDENT CLAIM PRESENT		☐

* If the difference in column 1 is less than zero, enter "0" in column 2

SMALL ENTITY TYPE ☐		OR	OTHER THAN SMALL ENTITY	
RATE	FEE		RATE	FEE
BASIC FEE		OR	BASIC FEE	300
EXAM. FEE			EXAM. FEE	200
SEARCH FEE			SEARCH FEE	400
X $125 =			X $250 =	
X $25 =		OR	X $50 =	650
X $100 =		OR	X $200 =	
+ $180 =		OR	+ $360 =	
TOTAL		OR	TOTAL	

CLAIMS AS AMENDED - PART II

12-28-04

		(Column 1)		(Column 2)	(Column 3)
AMENDMENT A		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	* 33	Minus	** 33	=
	Independent	* 1	Minus	*** 3	=
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				☐

SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X $25 =		OR	X $50 =	
X $100 =		OR	X $200 =	
+ $180 =		OR	+ $360 =	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

2-17-06

		(Column 1)		(Column 2)	(Column 3)
AMENDMENT B		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	* 44	Minus	** 33	= 11
	Independent	* 1	Minus	*** 2	= 0
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				☐

SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X $25 =		OR	X $50 =	550
X $100 =		OR	X $200 =	
+ $180 =		OR	+ $360 =	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	550

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than "20", enter "20".
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than "3", enter "3".
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.